

HAMPTON, PHOEBUS AND OLD POINT—Continued.

ROOSEVELT DISCUSSES GOMPERS

In Letter to Senator Knox, President Attacks Labor Leader.

WASHINGTON, D. C., Oct. 21.—Campaign literature was enriched today by a letter from President Roosevelt addressed to United States Senator P. C. Knox, of Pennsylvania, in which Mr. Roosevelt pays his respects to Samuel Gompers, president of the Federation of Labor.

Speaking at Philadelphia on Tuesday, Senator Knox took issue with Mr. Gompers on the question of the attitude of organized labor in the present campaign and the President's letter of today is in support of Mr. Knox's views.

Mr. Roosevelt says:

White House, October 21 1908.

My Dear Senator Knox:—

In your admirable speech you speak of the action of Mr. Bryan and certain gentlemen claiming to be the special representatives of organized labor, foremost among them Mr. Gompers, to secure the support of laboring men for Mr. Bryan on consideration of his agreement to perform certain acts nominally in the interest of organized labor, which would really be either wholly ineffective or else of widespread injury not only to organized labor but to all decent citizens throughout this country. You have a peculiar right to speak on labor questions; for it was you, who, as attorney general, first actively invoked the great power of the federal government on behalf of the rights of labor when, for the first time in the history of the government, you, speaking for the department of justice, intervened in a private law suit which had gone against a locomotive fireman who had lost his arm in coupling cars, and by your intervention secured from the Supreme Court a construction of the safety appliance act which made it a vital remedial statute, and therefore has secured to hundreds of crippled employees and widows of crippled employees, compensation which they would not otherwise have obtained.

The daily papers of October 13th contain an open letter from Mr. Samuel Gompers, president of the American Federation of Labor, appealing to workmen to vote for Mr. Bryan.

In that letter are certain definite statements which interest wide American public quite as much as those to whom Mr. Gompers makes his appeal. These statements warrant all you have said in your speech; and they would warrant you in asking Mr. Bryan to say publicly whether Mr. Gompers states correctly the attitude of his party and himself on a subject that is of vital concern to every citizen, including every business man who looks to the courts for the protection of his rights.

Mr. Gompers in his letter asserts that the judiciary of this country is destroying Democratic government and substituting therefor an irresponsible and corrupt despotism in the interest of corporate power; and he further makes clear that the means by which he believes this alleged despotism has been set up in the place of democracy is by the process of injunction in the courts of equity.

Mr. Gompers in his letter states that his appeal to the republican convention at Chicago for remedy against the injunction was denied; and he then goes on to state not only that the democratic party promised a remedy, but promised him the particular remedy that he had already asked of congress.

His words:

"Labor's representatives then went to the Democratic party, that party made Labor's contentions its own. It pledged its candidates for every one of those remedies which labor had already submitted to Congress."

The last sentence in this quotation indicates very definitely the specific remedies to which Mr. Gompers understands Mr. Bryan's party has pledged itself.

His statement now makes perfectly clear an important plank in the Bryanite platform, which has heretofore seemed puzzling to a vast number of earnest-minded, thinking people, who are sincerely interested in the steady advance and the legitimate aspirations of labor, and who carefully read both platforms to know precisely what hopes each hold out for the improvement of the conditions of wage earners.

That plank reads as follows:

"Questions of judicial practice have arisen especially in connection with industrial disputes. We deem that the parties to all judicial proceedings should be treated with rigid impartiality and that injunctions should not be issued in any cases in which injunction would not issue if no industrial dispute were involved."

This is the plank that promises "the remedy" against injunction which Mr. Gompers asked of Mr. Bryan's party. In actual fact it means absolutely nothing; no change of the law could be based on it; no man without inside knowledge could foresee what its meaning would turn out to be, for no man could foresee how any judge would decide in any given case, as the plank apparently leaves each judge free to say when he issues an injunction in a labor case whether or not it is a case in which an injunction would issue as if labor were not involved. Yet this plank is apparently perfectly

clear to Mr. Gompers and in his letter to his followers he indicates beyond question just what he understands it to mean. He asserts that he has the requisite inside knowledge. His statement that Mr. Bryan's party (for it was Mr. Bryan who dictated the platform) pledged itself "to those remedies which labor had already submitted to congress" is a perfectly clear and definite statement.

The "remedies" which Mr. Gompers has already submitted to congress are matters of record, and the identification of his "remedy" against injunction in labor disputes is easy and certain. This "remedy" is embodied in House bill number 54 of the first session of the sixtieth congress, the complete text of which is hereto appended.

The gist of the bill as can be seen by referring to the complete text, is this:

First:—After forbidding any federal judge to issue a restraining order for an injunction in any labor dispute except to prevent irreparable injury to property or a property right, it specifically provides that "no right . . . to carry on business of any particular kind, or at any particular place, or at all, shall be construed, held, considered, or treated as property or as constituting a property right."

Second:—It provides that nothing agreed upon or done by two or more parties in connection with a labor dispute shall constitute a conspiracy or other criminal offense or be prosecuted as such unless the thing agreed upon or done would be unlawful if done by a single individual.

The bill here described is not only the "remedy" that Mr. Gompers has "already submitted to congress," but it is the one and only "remedy" which he and those associated with him in his present movement have announced that they will accept in the matter of his grievance against the courts on the injunction issue.

The counsel for the American Federation of Labor, and Mr. Gompers, its president, are both on record to this effect.

At a hearing before the House Committee on Judiciary, the counsel for the American Federation of Labor, on February 5, 1908 (as appears from the printed hearings) stated:

"The bill was considered by at least two sessions of the executive council of that organization, and unanimously approved. It was considered by two of its national conventions, the two latest—and by these unanimously endorsed. And in the face of many propositions to amend it, in the face of many proposed substitutes, in the face of pressure, from every direction, from high sources, and sources not so exalted, the organization has stood by, and is today standing by, this bill without amendment."

Mr. Gompers himself in discussing this bill before the same committee on February 28th, 1908, (as appears from the printed hearings) went on record as follows:

"Events have demonstrated clearly to my mind that there is only one bill before the committee that can at all be effective to deal with this abuse, with this invasion of human rights, and that is the Pearce bill."

Further on in the same page of the hearings, Mr. Gompers states:

"I will say this, that I think I will try to make my position clear that the American Federation of Labor has so declared itself that it must insist upon the principles involved in the Pearce bill, and that I explained, as best I could the position of labor—that we should never be compelled to bear the wrongs which we have for a longer period than to give our assent to the establishment of a wrong principle, believing and knowing that time would give the justice and relief to which labor—the working people—are entitled."

This bill then, and none other, represents exactly the relief that Mr. Gompers demands in the way of anti-injunction legislation; and if the statement in his letter is correct, this bill represents what Mr. Bryan and his party are pledged to in the matter of anti-injunction legislation.

The injunction plank in the Bryanite platform may sound vague and hazy; but there is nothing vague or hazy about this bill.

It is more than a bill; it is a programme of the most fixed and definite kind; and if Mr. Gompers is correct, this bill, becomes, as it were, an authorized appendix to Mr. Bryan's platform, or footnote explaining in detail the briefer and vague injunction plank in that platform.

Does Mr. Bryan accept it as such? Mr. Bryan should state publicly whether he in fact accepts the principle of this bill, which is the official programme of Mr. Gompers and those who stand with him.

Mr. Gompers announces publicly that Mr. Bryan's party has made this program its own. Is Mr. Gompers correct in this statement?

Either Mr. Gompers is mistaken, as to what Mr. Bryan's party has promised him in this matter of anti-injunction legislation, or those who drafted his party's platform, in their haste, failed to make the promise so clear that the general public would understand it precisely as Mr. Gompers understood it.

THE DEAR, DEAD DAYS

Byron Williams



From the faded horde of the years gone by
That have passed lock-step from the goal of Time,
I can catch but dreams as the phantoms,
And the ghosts move past in a rhythmic rhyme—
Ah, the rose was sweet and the sky was clear,
And the brook swung on in its mystic flow.
In the dear, dead days of the boyish cheer
When I loved a maid—in the long ago!

Oh, her lips were ripe as the ruddy peach
And her mouth was sweet as a water-core,
While her eyes were depths in the limpid reach
Of the deep, deep spring in the forest hour!
Yes, her voice was thrilled by Apollo's reed
And her breath was scent of the lily sweet,
In the fragrant morn when the buds are freed
And the day breaks forth on its light-shod feet!

Ah, she loved me then in a true-blue way,
When I pulled her hair at the village school;
For our hearts were pure—and we vowed
Some day
We would take our plunge in the nuptial pool.
But the years sped on and the path forked wide
And the storm broke loose with their rifts of light—

When the winds go down and the billows ride,
There is naught but dreams in the fading night!

Oh, my sweetheart fair of the days gone by,
Of the days lock-stepped from Eternity,
Let me dream of thee as the phantoms fly
And the ghostly forms of the seasons die,
For the rose was sweet and the sky was clear
And the brook swung fair in the mystic flow.
In the dear, dead days of the boyish cheer
When I loved you true—in the long ago!

pers understood it.

Mr. Bryan failed in his letter of acceptance to discuss this labor plank of his party's platform. So far as I am aware he has failed to discuss it since.

There should be such discussion as a matter of common fairness, not only to labor, but to all citizens alike. On a question of such grave consequence the people are entitled to know where Mr. Bryan stands.

Mr. Taft has repeatedly explained exactly where he stands in this matter of regulating injunction.

Are we not entitled to know with equal clearness exactly where Mr. Bryan stands?

Mr. Gompers' public statements as to what his party has promised make it imperative that Mr. Bryan declare himself.

This bill, to the principle of which he says Mr. Bryan is pledged, declares that the right to carry on a lawful business in a lawful way shall not be regarded as a property right or entitled to the protection of a court of equity through the process of an injunction; and the right to such protection which admittedly now exists under the law shall be taken away.

The counsel for the American Federation of Labor in his argument before the House Committee on February 5, at which Mr. Gompers himself was present, gave a very frank illustration of what he and Mr. Gompers perceived to be the consequences of that provision of this bill which says that the right to carry on business shall not be entitled to protection as a property right.

His words are: "Suppose that workmen, by some operation of procedure in community that say by violence or persuasion or picketing away from the premises) reduce those works to a state of utter helplessness and there was not a wheel moving, nor a process in operation, and this company had no help at all—that would be an interference with his right to do business; and for that I say he has no right to be protected by injunction."

Is Mr. Bryan in reality pledged to this point of view?

Will he definitely say either in writing or in a public address whether he believes with Mr. Gompers that the protection heretofore afforded by the courts of equity to the right to carry on a lawful business in a lawful way is despotic power, and that the judges who exercise that power are irresponsible despots?

So far as the second section of this bill is concerned, it is perfectly clear

that it would legalize the blacklist, and the sympathetic boycott carried to any extent. It would legalize acts which have time and again been declared oppressive, unjust, and immoral by the best and most eminent labor leaders themselves.

Does Mr. Bryan believe with Mr. Gompers that he and that part of the labor movement that agrees with him has the right morally, and should to given the right legally, to paralyze or to destroy with impunity the business of an innocent third person, against whom he or they have no direct grievance, simply because this third person refuses to join with them aggressively in a labor controversy with the real merits of which he may be utterly unacquainted, because he refuses to class as his enemy any and every employer whom they point out as their enemy, because he refuses merely, upon their peremptory order, to excommunicate some other employer by ceasing all business relations with him? The blacklist and the secondary boycott are two of the most cruel forms of oppression ever devised by the wit of men for the infliction of suffering on his weaker fellows.

No country could possibly exercise any more brutal, unfeeling, or despotic power than Mr. Gompers claims for himself and his followers in this legislation, which would permit them without let or hindrance of any kind to carry on every form and degree of the secondary boycott.

The Anthracite strike commission as fair minded and distinguished a body of men as ever passed judgment on an industrial question, thus referred to the secondary form of boycott, that is, the boycott of innocent third persons for refusing to take an aggressive part in a controversy with which they have no concern.

"To say this is not to deny the legal right of any man or set of men, voluntarily to refrain from social intercourse or business relations with any persons whom he or they, with or without good reasons, dislike. This may sometimes be unchristian, but it is not illegal. But when it is a concerted purpose of a number of persons not only to abstain themselves from such intercourse, but to render the life of their victim miserable by persuading and intimidating others, to refrain, such purpose is a malicious one, and the concerted attempt to accomplish it is a conspiracy at common law, and merits and should receive the punishment due to such a crime."

The commission further states that this boycott can be carried to an ex-

tent "which was condemned by Mr. Mitchell president of the United Mine workers of America, in his testimony before the commission, and which certainly deserves the reprobation of all thoughtful and law-abiding citizens."

Does Mr. Bryan agree with Mr. Gompers that all existing legal restraint on the enforcement of every degree of boycott should be removed; that industrial excommunication of the innocent merchant who refuses to render unquestioned obedience to the orders of Mr. Gompers should be legalized and encouraged; or does he believe with us, and with Mr. Mitchell and other labor leaders who differ with Mr. Gompers in this matter that this form of the boycott is morally wrong, that labor at war should fight with its enemies and respect the rights of neutrals, that innocent third parties should not be coerced into taking sides in industrial disputes to which they are in no sense parties, under penalty of having their business attacked and destroyed?

Mr. Taft is perfectly definite on this proposition.

Where does Mr. Bryan stand?

The citizen who votes for or against Mr. Taft on his proposition does so with his eyes open and with a clear understanding from Mr. Taft himself of his position. He has frankly discussed this subject time and again, with workmen themselves, both in this campaign and prior to his nomination. He has been willing to express his position clearly and to assure workmen that to protect them in their rights he is willing to go to limits of what he considers justice, but that he will not go further. His definition of justice to labor does not, as we understand it, include either of the principles contained in Mr. Gompers' program as set forth officially in this bill.

Does Mr. Bryan disagree with Mr. Taft on these propositions?

Will he state publicly, definitely, categorically, whether he accepts the program outlined in this bill, as Mr. Gompers in his letters has assured the public that he does?

Mr. Bryan's party platform paid a high tribute to our courts of justice. It stated:

"We resent the attempt of the Republican party to raise a false issue respecting the judiciary. It is an unjust reflection upon a great body of our citizens to assume that they lack respect for the courts."

The "great body of our citizens" to whom this platform refers, is admittedly Mr. Gompers and his followers. Mr. Gompers, now Mr. Bryan's op-a and avowed ally, has, in the letter herein quoted attacked the federal courts in unmeasured terms of reproach because, by a long line of decisions, the equity courts have refused to make an outlaw of the business man because his right to carry on a lawful business under the peace of the law has been protected by the process of injunction, because in a word one of the most vital and most fundamental right of the business world, the right of a business man to carry on his business, has been

(Continued on Eighth Page.)



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